

Notice of Allowability

Application No.

10/031,675

Examiner

Dmitry Suhol

Applicant(s)

CHITTY ET AL.

Art Unit

3712

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment dated 5/6/2004.
2. ☒ The allowed claim(s) is/are 1,5-18 and 22-28.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☒ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


DERRIS H. BANKS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Vincent Pace on July 8, 2004.

The application has been amended as follows:

Claim 15, after "A fibrescope training apparatus according to any" insert - - one - -.

Claim 23, after "A fibrescope training apparatus comprising..." delete "a mouth aperture, a nose aperture, or mouth and nose apertures," and insert - - an oral and nasal cavity component including mouth and nose apertures that lead to respective oral and nasal cavities, and a protruding web inside the oral cavity which simulates a patient's tongue, said oral and nasal cavities joining and" - -.

Claim 27, after "A fibrescope training apparatus according to claim 23..." delete "comprising an oral and nasal cavity component including said mouth and nose apertures, wherein said mouth and nose apertures lead to oral and nasal cavities and" and insert - - wherein - -.

Claim 27, after "lead to an join at an exit end from the oral and nasal cavity component..." delete ", and including a protruding web inside the oral cavity which simulates a patient's tongue".

Replace Abstract with attached abstract.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: The specific limitations of (with respect to claim 1) "...a component representing an internal organ, connectable to a branch component and comprising an entry passage that expands into an internal cavity and an exit passage, the internal cavity of the organ component reducing to said exit passage from the internal cavity", (with respect to claim 18) "...said internal organ part comprising one or more annular intermediate parts around the internal cavity which can be added or removed to change the size of the cavity within the internal organ part", (with respect to claim 22) "...an oral cavity within it a protruding web which simulates a patient's tongue..." and (with respect to claim 23) "...a protruding web inside the oral cavity which simulates a patient's tongue..." in combination with the other structural features of the respective claims are not anticipated or made obvious over the prior art of record in the examiners opinion. For example, Edde '310 teaches a network of multiple pathways through which a fibrescope may be manipulated (fig. 3), pathways formed by connection together of a number of individual branch components (figure 4) and a mouth or nose aperture (figure 4, opening at the top of element 216). At least some of branch components being of a general Y-configuration comprising an

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entry end, at least one exit end which may be connected together sequentially to form an expanding number of pathways in two or three dimensions are shown in figure 4 as element 224. A component representing an internal organ with an entrance passage that expands into an internal cavity is shown in figure 11 as elements 300 and 400 (with the entrance passage being shown as passage 316). While Asin et al '659 teaches an oral and nasal cavities (elements 28a and 28b), a mouth and nose aperture (elements 34 and 36) and an internal organ (elements 28h) comprising an entry passage (element 28g) and an exit passage (col. 3, lines 55-60). However, prior art of record fails to anticipate or obviate the combination of structural features as required by the individual claims, as stated above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

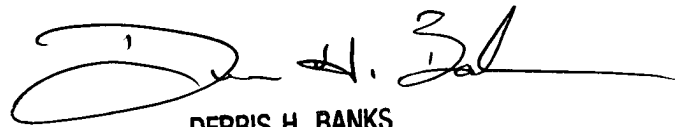
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dmitry Suhol whose telephone number is 703-305-0085. The examiner can normally be reached on Mon - Friday 9am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on 703-308-1745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Abstract

A fibrescope training apparatus comprises mouth and/or nose aperture(s) leading to a network of multiple pathways through which a fibrescope may be manipulated. The pathways are formed by connection together of a number of individual branch components which are individually typically of a general Y-configuration. They may be connected together sequentially to form an expanding number of pathways in two or three dimensions. Further components may represent internal organs.